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7  
8 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. *2012-97*

11 **DARRYL SCOTT SPRADLEY**  
12 **184 Richfield Road**  
13 **Deatsville, AL 36022**

**A C C U S A T I O N**

14 **Registered Nurse License No. 738086**

15 Respondent.

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17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her  
20 official capacity as the Executive Officer of the Board of Registered Nursing ("Board"),  
21 Department of Consumer Affairs.

22 **Registered Nurse License**

23 2. On or about October 9, 2008, the Board issued Registered Nurse License Number  
24 738086 to Darryl Scott Spradley ("Respondent"). The registered nurse license was in full force  
25 and effect and will expire on March 31, 2012, unless renewed.

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4. Code section 118 provides, in pertinent part, that the withdrawal of an application for a license after it has been filed with a board . . . shall not deprive the board of its authority to institute or continue a proceeding against the applicant for the denial of the license upon any ground provided by law or to enter an order denying the license upon any ground.

6. Code section 2761 states, in pertinent part:

(a) Unprofessional conduct, which includes, but is not limited to, the following:

(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action....

7. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Disciplinary Action by the Alabama State Board of Nursing)**

3 8. Respondent is subject to discipline pursuant to Code section 2761, subdivision (a)(4),  
4 on the grounds of unprofessional conduct, in that he was disciplined by the Alabama State Board  
5 of Nursing ("Alabama Board"), as follows:

6 9. On or about November 21, 2008, pursuant to a Consent Order, in the case entitled *In*  
7 *the Matter of: Darryl Scott Spradley License No. 1-085491*, Case No. 2008-0884, the Alabama  
8 Board placed Respondent's nursing license on Probation.

9 10. The Alabama Board based its Order on the following facts and admissions:

10 a. On or about February 6, 1998, Respondent was licensed by the Alabama Board of  
11 Nursing as a Registered Nurse.

12 b. In or about June 2008, Respondent was employed as a Registered Nurse at Mid  
13 South, in Montgomery, Alabama.

14 c. On or about June 24, 2008, Respondent documented a skilled home health visit for  
15 Patient WLG.

16 d. Hospital records indicated that Patient WLG was hospitalized from June 17, 2008 to  
17 June 26, 2008. As Patient WLG was in the hospital during this time, a home health visit  
18 conducted by Respondent could not have occurred at the home.

19 e. Respondent was terminated from Mid South for the false documentation and  
20 representation.

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22 **SECOND CAUSE FOR DISCIPLINE**

23 **(Unprofessional Conduct)**

24 11. Respondent is subject to discipline under Code section 2761, subdivision (a), on the  
25 grounds of unprofessional conduct, in that Respondent committed acts constituting unprofessional  
26 conduct, as more fully set forth in paragraphs 8 through 10, above.

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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 738086, issued to Darryl Spradley;
2. Ordering Darryl Spradley to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,
3. Taking such other and further action as deemed necessary and proper.

DATED:

August 12, 2011

Louise R. Bailey  
LOUISE R. BAILEY, M.Ed., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

LA2011501928